

41006-8-CIP.142802

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	
)	Before the Examiner
Cary Gloodt)	
)	Tuan Nguyen
Serial No. 09/849,659)	
)	Group Art Unit 3751
Filed May 4, 2001)	
)	
METHOD AND APPARATUS FOR)	September 21, 2001
PURGING WATER FROM A)	
WHIRLPOOL SYSTEM)	

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER AN ISSUED PATENT**

FAX RECEIVED
SEP. 21 2001
Group 3700

Commissioner for Patents
Washington, D.C. 20231

Sir:

Petitioner, Cary Gloodt, is the owner of one hundred percent (100%) interest in and to Application Serial. No. 09/849,659 filed on May 4, 2001 for a METHOD AND APPARATUS FOR PURGING WATER FROM A WHIRLPOOL SYSTEM.

Petitioner hereby disclaims, except as provided hereafter, the terminal part of the statutory term of any patent granted on the Instant Application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and 173, as shortened by any terminal disclaimer filed prior to its grant, of U.S. Patent No. 6,279,177, issued on August 28, 2001 for METHOD AND APPARATUS FOR PURGING WATER FROM A WHIRLPOOL SYSTEM (hereafter the "Issued Patent").

Petitioner agrees that any patent granted on the Instant Application shall

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be enforceable only for and during such period that it and said Issued Patent are

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commonly owned. This agreement runs with any patent granted on the Instant Application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the Instant Application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and 173 of said Issued Patent, as shortened by any terminal disclaimer filed prior to the grant of said Issued Patent, in the event that said Issued Patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Finally, please debit our Deposit Account No. 23-3030. for the amount of \$110.00, the statutory disclaimer fee, as set forth in 37 CFR 1.20(d).

No additional fees are believed to be necessary, however, should any fees be deemed required, please charge such fees to Deposit Account No. 23-3030.



C. John Brannon